

Approved: March 22, 2022

MONTAGUE TOWNSHIP COMMITTEE MEETING

MINUTES

March 8, 2022
7:00 PM

OPENING STATEMENT

Mayor Innella called the Montague Township Committee meeting to order at 7:05 p.m. announcing that adequate notice has been provided to the New Jersey Herald and the Sunday New Jersey Herald for publication in which notice was given of the date, time, place and general agenda of the meeting according to the Open Public Meetings Act.

FLAG SALUTE

The Pledge of Allegiance commenced at the Board of Health Meeting prior to the Township Committee Meeting.

ROLL CALL

Present were: Mr. Krumpfer, Mr. LeDonne, Mr. Merusi, Mr. Zitone and Mayor Innella. Also present was Municipal Clerk Eileen DeFabiis and Municipal Attorney Robert Rossmeissl

Absent: None

VOUCHERS Mr. Merusi made a motion to approve the vouchers. Mr. Zitone seconded, and the motion carried with a unanimous roll call vote.

MINUTES Mr. Merusi made a motion to approve the Executive Session Meeting Minutes of February 8, 2022. Mr. LeDonne seconded, and the motion carried with Mr. Krumpfer, Mr. LeDonne, and Mayor Innella all voting yes, and with Mr. Zitone abstaining due to his absence/recusal from the February 8, 2022 Executive Session.

Mr. Merusi made a motion to approve the Regular Meeting Minutes of February 22, 2022 and the Regular Meeting Minutes of January 25, 2022. Mr. Krumpfer seconded, and the motion carried with a unanimous roll call vote.

ORDINANCES (First Reading)

None

ORDINANCES (Second Reading)

None

APPROVAL OF CONSENT AGENDA

All items listed within an asterisk (*) are considered to be routine and non-controversial by the Township Committee and will be approved by one motion. There will be no separate discussion of these items unless a Committee member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Mr. Merusi made a motion to approve the Consent Agenda. Mr. LeDonne seconded, and the motion carried with a unanimous roll call vote for all Consent Agenda items.

CONSENT AGENDA

RESOLUTIONS

2022-031* HEATING AND AIR CONDITIONING MAINTENANCE AGREEMENT BETWEEN CR WOLFE AND THE TOWNSHIP OF MONTAGUE (FIREHOUSE & COMMUNITY CENTER)

2022-033* AUTHORIZE TAX COLLECTOR TO REFUND A TAX OVERPAYMENT

PROCLAMATION

Recognition of Wahnetta Fountain's 102nd Birthday – Mayor Innella read a recognition of Montague Township resident, Wahnetta Fountain's 102nd birthday.

CORRESPONDENCE

Sussex Elks Lodge, Branchville American Legion, and Franklin American Legion – Moving Wall Donation - The Township received correspondence from the above-mentioned establishments in appreciation of the generous donation received from the Township of Montague for the Vietnam Veterans Moving Wall Display.

Harold Pellow & Associates, Inc. – Final Paperwork to NJDOT – New Mashipacong Road Section I & II Resurfacing Complete and Accepted – The Township Committee acknowledged this correspondence.

Montague Volunteer Fire Department – NJ State Fireman's Association Application Membership Approval (Christian Lemin) – Mr. Merusi made a motion to approve this membership application request. Mr. LeDonne seconded, and the motion carried with a unanimous roll call vote.

NEW BUSINESS

DPW Garage – LED Lighting Upgrade – Mr. Zitone remarked that the DPW received a quote to upgrade the lighting at the DPW, this would be to take the ballast out of the old florescent lighting fixtures and rewire these to be LED's. This upgrade would be more economical on energy costs and would make the lighting much brighter, which has been a complaint of the DPW. Mr. Zitone made a motion to approve the quote received by CLR Electric Corp., Inc. to upgrade the DPW Garage Lighting Fixtures to LED's for a total cost not to exceed \$2,000. Mr. Merusi seconded, and the motion carried with a unanimous roll call vote.

Open Space – Mayor Innella informed those in attendance that past Committeewoman Toni-Lu Martin has been working with the Nature Conservancy for the past several years regarding Open Space. Ms. Martin has been working to get the Nature Conservancy involved in Open Spaces in Montague and possibly helping the Township with ideas to use these areas such as trails/walking paths. Ms. Martin asked Mayor Innella to find out if the Township Committee would be interested in taking a meeting with Director, Eric Olsen of the Nature Conservancy to discuss what the Township could possibly do for them, and what they could possibly do for the Township. The Committee was all in agreeance that having this dialog with the Nature Conservancy would be beneficial to the Township.

OLD BUSINESS

Foreclosures – Attorney Rossmeissl explained to all in attendance that the Township is the owner of many parcels of land that were acquired through In-Rem Foreclosures or Foreclosures from Tax Liens. The Township does not collect any taxes on these parcels therefore the Township Committee has discussed having a land auction to get some of these back on the tax rolls. Attorney Rossmeissl has gone back and forth with the Township Tax Assessor and the Committee to condense the listing of parcels for Land Sale Auction to only those that would most likely sell or are buildable, etcetera. Attorney Rossmeissl asked the Committee to look over the current list that he has put together once more to make sure that the parcels listed should be included and none are missing that they feel should be included. Attorney Rossmeissl added that once the list is finalized the Township would need about a month to have the proper legal notices published.

Walking Path – AARP Grant – Mr. Krumpfer stated that it seems like they have found about five different potential grants for creating a Walking Path. Mr. Krumpfer asked is there is anyone either within the Township or within an outside vendor that has time to apply/write the grants. Mayor Innella replied that something like this could be time consuming therefore internally the staff will not have time to do so. In addition, when it comes to grants it is more favorable to hire an outside vendor whom has the proper qualifications and experience with these types of grants so you have the highest possibility of receiving the grant. Mayor Innella has contacted past Committeewoman Gene Crawford who worked often with Millennium Strategies, a grant writing company that the Township has used in the past. Ms. Crawford provided Mayor Innella with a contact at Millennium, but it was the incorrect contact within the company so someone who does handle these types of grants will be getting back to Mayor Innella.

REPORTS

Recreation – Mr. Merusi said that at the last Recreation Committee Meeting, Mr. Mastroeni from the Montague Little League attended. Mr. Mastroeni is looking to have new fencing installed at Zitone Field; the quote he received totaled \$17,000. Mayor Innella added that he spoke to the DPW Foreman earlier in the day and told him, when the weather breaks, he would like the DPW to go out to the field and try to straighten up the posts. If some of the fencing is in poor shape, then he asked the DPW Foreman to get a quote for replacing just those areas. It is just not a possibility this year to spend \$17,000 to replace the entire fencing.

Construction Department – February 2022 – There were 14 permits issued for the month of February 2022 and 7 Certificates of Approvals for a total collected of \$2,938.

Tax Collector – February 2022 - Current taxes collected for the month of February 2022 totaled \$1,780,209.47. Prior year's taxes collected totaled \$20,095.78. Tax Title Lien's Receivable totaled \$33,411.71. Interest collected for the month of February totaled \$32,656.19. Total collected for the month of February \$1,866,373.15

PUBLIC PARTICIPATION (limited to three minutes per person)

Mr. Merusi made a motion to open to the public. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

Sandy Hull – Sandyston Township – Ms. Hull commented that there is currently a move underway, engineered by Pennsylvania/New Jersey Chapters of the Sierra Club, to change the designation of the Delaware Water Gap National Recreation Area into a National Park. National Parks do not allow hunting or fishing per se. The National Park would have a "Preserve Area", yet to be determined where hunting and fishing would be allowed. Other consumptive uses such as agricultural use are not permitted. There are 108 National Parks in the U.S. and most of those are fee based with controlled entry areas. The Sierra Club has encouraged tourism to the National Park on their website, which is called DelValPark.org indicating the National Park is already in existence, which it is not. Ms. Hull reached out to the Sierra Club for more information on February 23, 2022 and March 1, 2022, and the reply to her first request was that there is no plan available which came from John Cashwick who is the Head of the New Jersey Sierra Club; the second request went unanswered. At the January Meeting of the Warren County Commissioners, they passed a Resolution supporting the designation change, but she was told there was no plan, so what did the Warren County Commissioners pass their Resolution based off. It is also Ms. Hull's understanding from the Clerk of the Commissioner's office that Congressman Gottheimer, John Donohue (the former Delaware Water Gap National Recreation Area Superintendent), and Commissioner Curran met before that meeting. She then requested information from the National Park Service in Bushkill, PA in which she received this reply, "basically there are no NPS documents pertaining to this proposal since they are not involved in it." Ms. Hull has reached out to Congressman Gottheimer's office for assistance, in which she is still waiting to hear back. Ms. Hull expressed several concerns including: where is the plan to facilitate the change, what is fee structure, where would the fee collection stations be, how will it affect our agricultural community. Route 560 in Layton is the main access to the Recreation Area so what are the plans to encourage more tourists to our area through Sandyston and Montague and several other concerns. Ms. Hull respectfully asked the Township Committee to request documents from the Sierra Club and pass a Resolution in protest of the change until requested documents are received and public hearings are held. Ms. Hull added that Sandyston Township passed a Resolution in 2015 opposing the National Park Service's 2030 vision. Ms. Hull urged everyone to visit the Facebook Page "No National Park".

Maureen Kaman – 342 New Road – Ms. Kaman thanked the Township Committee for the Proclamation for Wahneta Fountain's 102nd birthday. Ms. Kaman added that the American Revolution 250th Anniversary is coming up in 4 years, in 2026, and Ms. Kaman certainly feels that Montague should be a part of this historic celebration. The celebration will cost some money so her hope is that the Township Committee will consider placing some money aside in the budget for this. Ms. Kaman added that the Nature Conservancy is a 501C3 so it is common for them to buy property in their name and then eventually transfer it over to the State or some other organization. Ms. Kaman further added that she met with the Superintendent of High Point State Park and she told Ms. Kaman that they are in the process of working on a walking path to come through High Point all the way to Trilobite Ridge. Ms. Kaman was looking to have them connect Old Clove Road to it, but the piece of property that juts out in that area has been sold to the Gas Station. Lastly, Ms. Kaman stated that Atlantic Health has a big charitable contribution program,

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so Ms. Kaman has written to them because they have a walking path that they sponsored at the Hospital as well as by the Mariam Park in Newton. She is waiting to hear back to see if the Township would be eligible or if they would be interested, Ms. Kaman will forward any information she receives to Clerk DeFabiis.

Kathy Switzer-Roll – 46 Reinhardt Road – Ms. Roll asked if the Township Committee has received any kind of information or report from the Code Enforcement Officer regarding the open court cases. Mayor Innella replied, no they have not. Ms. Roll said that her issue is when she called the Code Enforcement Officer and asked him about a specific court case, and a date in which a hearing is scheduled, he said he didn't know anything about it because it was written from the previous Code Enforcement Officer. Mayor Innella explained that since the case was being worked on by another Code Enforcement Officer, who has since left the position, that case gets tossed out and the new Code Enforcement Officer has to start all over. Ms. Roll interjected that the case was not tossed out and stated there was still a court hearing and now there is going to be a trial. Ms. Roll asked what good are the Township Ordinances if each time there is a new Code Enforcement Officer any ongoing cases are removed? Ms. Roll also added that she came into the Municipal Building for a Senior Tax Deduction and was only given a website, but she does not do anything on the internet. Ms. Roll stated that the Municipality needs to have these types of items readily available for its residents. Ms. Roll also inquired about an ORPA request she had previously submitted.

There being no further comment from the public, Mr. LeDonne made a motion to close to the public. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Mr. Zitone recused himself from the meeting before the other Committee members moved to Executive Session.

Mr. Merusi made a motion to enter into Executive Session. Mr. LeDonne seconded, and the motion carried with a unanimous voice vote.

EXECUTIVE SESSION

Mr. Merusi made a motion to enter Executive Session. Mr. LeDonne seconded, and the motion carried with a unanimous voice vote.

MONTAGUE TOWNSHIP

RESOLUTION 2022-032

WHEREAS the Township of Montague is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4-12; and

WHEREAS the Township intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A. 10:4-12 in Executive Session; and

WHEREAS at this time the Township cannot determine the time when the discussions to be held in Executive Session will be made public but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists.

NOW THEREFORE, be it resolved by the Township Committee of the Township of Montague that this meeting shall be adjourned to an executive session (closed session) and the public will be excluded in order that the Committee may, in accordance with N.J.S.A. 10:4-13(a), discuss Attorney Client Privilege without taking action, and after reconvening this public meeting action may be taken and the Mayor or her designee will announce, if possible, the time when and the circumstances under which the discussion conducted in Executive Session will be disclosed to the public. This resolution is authorized and allowed by and pursuant to N.J.S.A. 10:4-13.

NOW THEREFORE, be it further resolved by the Township Committee that pursuant to N.J.S.A. 10:4-13(b) the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public is when the need for confidentiality no longer exists.

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Mr. Krumpfer made a motion to close Executive Session. Mr. Merusi seconded, and the motion carried with a unanimous voice vote.

Mr. Merusi made a motion to open to Regular Session. Mr. LeDonne seconded, and the motion carried with a unanimous voice vote.

ADJOURN

Mr. Merusi made a motion to adjourn at 8:31 PM. Mr. Krumpfer seconded, and the motion carried with a unanimous voice vote.

Respectfully submitted,

**EILEEN DEFABIIS, RMC
MUNICIPAL CLERK**